

## Nadler Hails Passage Of Bill To Fund DNA Analysis Of Rape Kits

Tuesday, 07 October 2003

Washington, DC—Rep. Jerrold Nadler (D-NY) hailed the passage of bipartisan compromise legislation to fund analysis of rape kits that until now have been sitting unprocessed in police storage units across the country. For 19 months, Nadler and others have pushed, prodded, and demanded that federal funding be provided to test these kits right away.

"It's about time," said Nadler. "Finally, we have legislation that will have a real impact on people's lives. I am pleased that the Judiciary Committee passed this legislation quickly and now it is up to us to make sure it is fully funded, so that police departments will have the resources they need to solve crimes and put criminals behind bars," continued Nadler. Rep. Nadler, a Member of the Judiciary Committee, voted in support of the bill at today's markup.

The bipartisan bill, entitled "Advancing Justice Through DNA Technology Act," H.R. 3214, was introduced on October 1, 2003 by the Chairman of the Judiciary Committee, James Sensenbrenner. The bill includes a provision similar to the "Rape Kit DNA Analysis Backlog Elimination Act" introduced by Nadler in March of 2002, which would have provided \$250 million to reduce the rape kit backlog.

The new bill also contains "The Innocence Protection Act," which will utilize DNA evidence to help prevent the innocent from being sentenced to death and help ensure the guilty are off the streets.

Nadler stated, "This is a serious effort to combat crime, locate and apprehend rapists, and use powerful evidence to put them in prison. Unlike the sound bite crime legislation that so many Members of Congress seem to advocate these days, this bill will actually make a difference."

The following is a timeline of actions taken by Rep. Nadler to promote this legislation:

In February of 2002, Rep. Nadler fought for an amendment that was adopted to the Judiciary Committee's Budget Views and Estimates that put the Committee on the record of fully supporting funding to eliminate the backlog of DNA evidence that have not yet been analyzed.

In March, Nadler introduced the Rape Kit DNA Analysis Backlog Elimination Act, which would provide \$250 million in funding to eliminate the backlog of rape kits that have not been analyzed by police departments nationwide. The announcement was made at a Capitol Hill press conference, where the Congressman was joined by Kim Gandy, President of the National Organization for Women and Scott Berkowitz of the Rape, Abuse and Incest National Network.

In April, shortly after Nadler introduced the legislation in the House, Senator Hillary Clinton introduced the Senate version of the bill and the bill earned the endorsement of the New York Times and Lifetime television.

In May, with pressure mounting for action to be taken, the Chair of the Senate Judiciary Committee on Crime and Drugs, Senator Biden, held hearings on DNA evidence and rape kits. The House, which was still controlled by the Republicans, did not hold hearings on the rape kit issue. Senator Biden then pushed comprehensive sexual assault legislation forward, and he was able to get the bill to pass the Senate by unanimous consent in September.

Nadler immediately seized the opportunity to urge Majority Leader Armev to bring up the Senate passed bill for consideration in the House. He organized a dear colleague letter to the entire House urging them to join him in pushing for the bill and got more than 20 Members of Congress to sign on to his letter to Armev. Armev never acted on the legislation.

Congress failed to act before the end of 2002. In 2003, with Republican majorities in both the House and the Senate, Nadler joined forces with his House colleagues to push for a bipartisan solution to the problem. In March, Nadler was an original cosponsor of H.R.1046, "To assess the extent of the backlog in DNA analysis of rape kit samples, and to improve investigation and prosecution of sexual assault cases with DNA evidence," which was similar to the Biden bill passed by the Senate the year before. In October, Nadler joined his colleagues to introduce the latest version of the bill, which has the greatest chance of becoming law.

"This issue is too important not to pursue, because everyone knows that DNA evidence is essential to solving crimes. It can lead to punishment of the guilty and the freeing of the innocent. We must commit the necessary resources to empower law enforcement to analyze all of the DNA evidence they collect, so that they can solve cases and bring justice to American families, " concluded Nadler.

###